



Practitioner's Docket No. 65476-5003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alan Backus et al.

Application No.: 10/039,395

Group No.: 1761

Filed: 11/07/2001

Examiner: Becker, Drew

For: SIMPLIFIED DEVICE TO QUICKLY COOK FOOD

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

01/30/2006 HDENESS2 00000004 100440 10039395

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RENEWED PETITION UNDER 37 CFR 1.137(b)

Applicant filed a Petition to Revive Patent Application – Failure to Pay Issue Fee Unintentional (37 C.F.R. §§ 1.137(b) AND 1.316) on June 6, 2005. In a communication from the PTO dated August 24, 2005, the Petition was dismissed for failure to submit corrected formal drawings. The drawings, along with an Issue Fee Transmittal Form (PTOL-85b), copy of the original Petition as filed, copy of the Dismissal and a three(3) month petition for extension of time under 37 CFR 1.136(a) are submitted herewith.

1. Accordingly, Applicant hereby petitions for the revival of this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)


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37 C.F.R. § 1.10*

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.


Signature

Date: January 23, 2006

Karen Earl

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. Nature of the Abandonment

In a communication from the PTO it was noted that this application is abandoned for failure to pay the issue fee within the 3 month period from the date of the notice of allowance required by 37 C.F.R. § 1.316.

3. Date of Filing of This Petition After Abandonment

This petition is being filed on January 23, 2006.

4. The delay in payment of the issue fee was unintentional. The entire delay from the due date in paying the required issue fees until the filing of this petition was unintentional. 37 C.F.R. § 1.137(b)(3).

5. Payment of the issue fee 37 C.F.R. § 1.137(b)(1):

Payment of the issue fee was submitted with the original Petition (copy of which is attached hereto).

Regular Patent Issue Fee	\$1,400.00
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6. Petition fee (35 U.S.C. § 41(a)(7) and 37 C.F.R. § 1.17(m)) was submitted with the original Petition (copy of which is attached hereto).

Application status is:

Other than small entity--fee	\$1,500.00
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Petition Fee	\$1,500.00
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Total issue and petition fee to be paid	\$2,900.00
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7. Payment of total fee:

Payment was submitted with the original Petition (copy of which is attached hereto).

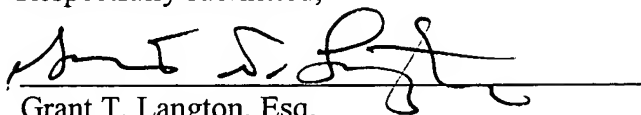
Please charge our Deposit Account No. 10-0440 for any additional fees necessary for this matter.

8. Terminal Disclaimer

This utility/plant application was filed on or after June 8, 1995 and no terminal disclaimer is required.

Respectfully submitted,

Date: January 23, 2006

A handwritten signature in black ink, appearing to read 'Grant T. Langton', is written over a horizontal line.

Grant T. Langton, Esq.

Registration No. 39,739

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Advantage Partners, LLC

Application No./Patent No.: 10/039,395 Filed/Issue Date: 11/07/2001

Entitled: SIMPLIFIED DEVICE TO QUICKLY COOK FOOD

Advantage Partners, LLC, a

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010710, Frame 0528, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Roderick G. Dorman

Signature

Roderick G. Dorman

Printed or Typed Name

Managing Member

Title

April 10 '05

Date

(213) 694-1006

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Telephone inquiries concerning this decision should be directed to the undersigned at
(571) 272-3229.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachments to cc: Notice of Draftsperson's Patent Drawing Review and Blank Issue Fee
Transmittal Form, PTOL-85b.